IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 807 of 1998
in
SPECIAL CIVIL APPLICATION No 8623 of 1997

For Approval and Signature:

HON'BLE MISS JUSTICE R.M.DOSHIT
and
HON'BLE MR.JUSTICE S.R.BRAHMBHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAJKOT DISTRICT PANCHAYAT
Versus
POONABHAI LAKHABHAI

Appearance:
1. LETTERS PATENT APPEAL No. 807 of 1998

MR VIJAY H PATEL for the Appellant
Respondent SERVED

CORAM : HON'BLE MISS JUSTICE R.M.DOSHIT
and
HON'BLE MR.JUSTICE S.R.BRAHMBHATT

Date of decision: 13/01/2005

ORAL JUDGEMENT

(Per : HON'BLE MISS JUSTICE R.M.DOSHIT)

The appellant - Rajkot District Panchayat has challenged the order of the learned Single Judge dated 23rd March, 1998 made in Special Civil Application No.8623/1997.

The aforesaid writ petition was preferred by the appellant against the judgment and award dated 29th November, 1996 passed by the Labour Court, Rajkot in Reference (LCR) No.1163/1985. The learned Single Judge was of the opinion that it was not possible for the Court to reappreciate evidence while deciding a petition under Article 227 of the Constitution of India. The Appeal under clause 15 of the Letters Patent shall not lie against the order made by the learned Single Judge in exercise of power of superintendence conferred upon the High Court by Article 227 of the Constitution of India.

The Appeal is, therefore, dismissed. There shall be no order as to cost.

(Ms. R.M.Doshit, J.) (S.R.Brahmbhatt, J.)

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